

Agenda Item: 21-06 **Request Approval of the Hearing Officer's Report and Regulatory Impact Analysis, Repeal of 15A NCAC 13B Rules .1701 - .1710, and Adoption of Rule .1713 "Requirements for Existing Structural Fills"**

Explanation: The Division of Waste Management requests approval of the Hearing Officer's Report and Regulatory Impact Analysis, the Repeal of 15A NCAC 13B Rules .1701 - .1710, and Adoption of Rule .1713 "Requirements for Existing Structural Fills". Rules .1701 - .1710 are proposed for re-adoption as a repeal pursuant to G.S. 150B-21.3A, since new structural fills are required to comply with the Coal Ash Management Act, and Rule .1713 is a new rule proposed for adoption to consolidate requirements from the existing rules that are still necessary for existing structural fills. The re-adoption deadline established by the Rules Review Commission for Rules .1701 - .1710 is April 30, 2021.

Recommendation: The Division requests that the EMC approve the Hearing Officer's Report and Regulatory Impact Analysis, Repeal of 15A NCAC 13B Rules .1701 - .1710, and Adoption of Rule .1713 "Requirements for Existing Structural Fills."